

### **REMARKS/ARGUMENTS**

The Applicants would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office Action, and amended as necessary to more clearly and particularly describe the subject matter that Applicants regard as the invention.

The present amendment amends claim 1, cancels claims 13-14 and adds claim 15.

Claims 12-14 were rejected under 35 U.S.C. 112 as failing to comply with the written description requirement. For at least the following reasons, the Examiner's rejection is respectfully traversed.

In regard to claim 12, FIG. 5A shows that elements 105A, 105B and 105C interlock constituting a retainer ring member and are linked by parts shown in phantom. It can be seen from FIG. 5A that, on the parts shown in phantom, there are axes about which the elements 105A, 105B and 105C can pivot.

Claims 13 and 14 are canceled.

In regard to new claim 15, FIG. 5A shows that elements 105A and 105C substantially mirror each other and that they can rotate about the axis on one of the parts shown in phantom after element 105B is inwardly rotated. A person of ordinary skill in the art will be able to appreciate that it is possible to simply have two elements that comprise the retainer ring member, substantially mirror each other and rotate about the axis on the part shown in phantom. Furthermore, a person of ordinary skill in the art will be able to appreciate that if the retainer ring member was made up of more than two elements it would be possible for more elements to mirror one another.

Therefore, the original disclosure did illustrate elements that can rotate relative to each other, interlock, are linked and substantially mirror each other. As a result, the subject matter contained in the claims was described in such a way as to reasonably convey to one skilled in the relevant art that the inventor had possession of the claimed invention at the time the application was filed.

Claims 1, 4, 5, 7, 8 and 10-14 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,720,411 to Darby et al. (hereinafter

Darby). For at least the following reasons, the Examiner's rejection is respectfully traversed.

Claim 1 has been amended to incorporate the limitation of the now canceled claim 14 regarding relative rotation of the arced elements. In regard to claim 1, the argument in the Office action, that characterized the retainer ring 79 as three layers of arced elements on top of each other and movable by rotation with respect to each other, stretches the meaning of the word 'rotation' as to make its use incorrect. The correct way to describe the movement of the helical locking ring 79 would be to say that it undergoes torsion where the deformation, in this case, is elastically spread out along the coil. Certain points on the topmost 1/3 circle portion of the ring and the lowermost 1/3 circle portion of the ring may appear to rotate relative to each other but the movement involves deformation from twisting that the two 1/3 circle portions must undergo as well. It is incorrect to characterize the two portions as simply rotating relative to each other because what appears to be rotation actually operates by torsion. If the argument in the Office action regarding the retainer ring 79 stood, one could simply deform an elastic rubber bar by bending and argue that the two ends are movable or 'rotate' relative to each other. Therefore, Darby does not disclose all the limitations of claim 1.

The 102(b) rejection also indicated that a segmented ring is disclosed by Darby. The Office action also noted that a segmented ring was disclosed by Buckley although this should have come under a rejection based on 35 U.S.C. 103(a). The specification of Darby (col. 8, lns. 64-66) does not offer any detail as to how the segments of the ring move and still does not disclose the retainer ring member with elements that can rotate relative to each other. Therefore, rejections based on either of the references are rendered moot by the amendment to claim 1 since neither discloses the retainer ring member made of arced elements that can rotate relative to each other.

In regard to claim 4, a unitary head member is not disclosed by Darby because the Office action requires multiple parts to constitute the head member. Darby does not disclose an equivalent feature to the head member of the present

application because the Office action instead combines multiple parts (elements 39, 55 and 57) to re-create the head member. The novelty and non-obviousness of the unitary head member over multiple parts that constitute a similar feature is naturally strengthened by the fact that Darby could have used a part made in the same manner but did not.

In regard to claims 7, 8, 12 and newly added 15, the Office action fails to indicate how these limitations are anticipated by Darby. Darby gives no detail as to the geometry of the segments of the retainer ring member and simply indicates the possibility of using a segmented ring. Darby cannot be interpreted more broadly than the teachings it contains and, therefore, does not disclose a retainer ring whose elements are linked, similar or identical in shape, interlock or substantially mirror each other.

Therefore, Darby fails to anticipate all the limitations of claim 1 and its dependent claims.

Claims 1, 4, 5 and 7-14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Darby in view of general knowledge of domed head and tubular connectors of non-metal composite plastic material. The Examiner's rejection is respectfully traversed for at least the following reasons.

Even if such general knowledge is admitted, the Office action still fails to point to a reference that provides the motivation necessary to apply this general knowledge to Darby. Characterizing the combination as obvious relies on hindsight that benefits from the teachings of the present application. Furthermore, the combination of Darby and general knowledge still fails to teach the limitation of a retainer ring member whose elements can rotate relative to each other in claim 1.

The Office action also rejected claims 1, 4, 5 and 7-14 under 35 U.S.C. 103(a) as being unpatentable over Darby in view of U.S. Patent No. 2,401,856 to Brock (hereinafter Brock) in case it is deemed that Darby does not disclose two arced elements movable relative to one another.

The Examiner's rejection is rendered moot by the amendment to claim 1. Applicant would like to once again emphasize that rotation of the elements of the

retainer ring member must be distinguished with deformation that appear to result in the rotation of certain points on the elements of the retainer ring member. Brock is another situation where a part similar to the retainer ring must undergo deformation or be distorted in order to function as a retaining washer or the like (col. 1, Ins. 1-6). Because Brock does not disclose a retainer ring with elements that rotate relative to each other, the combination of Darby and Brock fails to disclose all the limitations of claim 1 and its dependent claims.

The Office action also rejected claims 1, 4, 5 and 7-14 under 35 U.S.C. 103(a) as being unpatentable over Darby in view of U.S. Patent No. 3,136,230 to Buckley (hereinafter Buckley) in case it is deemed that Darby does not disclose two arced elements movable relative to one another.

The Examiner's rejection is again rendered moot by the amendment to claim 1. The locking ring 28 of Buckley is comprised of ring segments 30, 32 and 34 that can be independently disengaged from concentric grooves 26. In regard to claim 12, the ring segments 30, 32 and 34 are not linked and, in regard to claim 1, their movement does not involve rotation. Therefore, the combination of Darby and Buckley fails to disclose all the limitations of claim 1 and its dependent claims.

Claims 2 and 3 were rejected under 35 U.S.C. 103(a) as being unpatentable over Darby or [Darby in view of Brock] or [Darby in view of Buckley] in view of U.S. Patent No. 3,447,712 to Gallasso et al. (hereinafter Gallasso). The Examiner's rejection is respectfully traversed for at least the following reasons.


Because a securing plate 41 of Darby has a plurality of stiffening ribs 53 that would hinder with placing an element such as a seal washer 160 of Gallasso, there is no need to combine the seal washer of Gallasso with the parts in Darby. Furthermore, in Gallasso, the seal washer 160 provides support by interacting with a resilient gasket 170 and the differences between the geometry of a stem 140 of Gallasso and a dome-shaped element 39 of Darby make the combination even more unlikely and unobvious, even if the combination is somehow accomplished. Therefore, the limitations of claims 2 and 3 are not disclosed by the combination of Darby and Gallasso.

Appl. No.: 10/757,287  
Amdt. dated January 26, 2007  
Reply to Office action of December 26, 2006

In light of the foregoing, it is respectfully submitted that the present application is in condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 35015US1.

Respectfully submitted,  
PEARNE & GORDON LLP

---

Ronald M. Kachmarik, Reg. No. 34512

1801 East 9th Street  
Suite 1200  
Cleveland, Ohio 44114-3108  
(216) 579-1700

Date: January 26, 2007